

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:16-CR-146-IBR(1)

UNITED STATES OF AMERICA,)
)
v.)
)
ALHAJI BOYE)
)

FILED IN OPEN COURT
ON 6-21-16 BR
Julie Richards Johnston, Clerk
US District Court
Eastern District of NC

INDICTMENT

The Grand Jury charges that:

COUNT ONE

From a date unknown, but no earlier than on or about January 1, 2014, and continuing up to and including on or about the date of this Indictment, in the Eastern District of North Carolina, ALHAJI BOYE, defendant herein, did knowingly and intentionally, combine, conspire, confederate, agree and have a tacit understanding with other persons, known and unknown, to buy and facilitate the transportation of firearms prior to their exportation from the United States, knowing them to be intended for exportation from the United States contrary to the laws and regulations of the United States, to wit: Title 18, United States Code, Section 554 and Title 22, United States Code, Section 2778. All in violation of Title 18, United States Code, Section 371.

Object of the Conspiracy

It was the object of the conspiracy to illegally export firearms to The Gambia in support of an effort to forcibly overthrow the government of The Gambia.

Overt Acts

In furtherance of the conspiracy, and to effect the object of the conspiracy, overt acts were committed in the Eastern District of North Carolina and elsewhere, to include:

1. On August 25, 2014, a member of the conspiracy provided BOYE with \$7,000 via a wire transfer.
2. On August 26, 2014, BOYE placed an order for five AK-47 rifles from Eagle 1 Law Enforcement Supply, a firearms dealer in Raleigh, North Carolina.
3. BOYE subsequently purchased firearms from Eagle 1 Law Enforcement Supply in addition to approximately 7000 rounds of ammunition and nearly 100 magazines.
4. BOYE later facilitated the transportation of the firearms and ammunition out of the State of North Carolina.
5. Members of the conspiracy later facilitated illegal transportation of the firearms and ammunition to The Gambia.

COUNT TWO

Between on or about September 9, 2014 and December 30, 2014, in the Eastern District of North Carolina, ALHAJI BOYE, defendant herein, did willfully, knowingly, and fraudulently buy and facilitate the transporation of firearms prior to exportation, knowing them to be intended for exportation contrary to laws and regulations of the United States, specifically, Title 22, United States Code, Section 2778, to wit: three (3) Diamondback Arms Inc. model DB-15 5.56 caliber rifles, and two (2) Romarm model WASR-10 7.62 caliber rifles. All in violation of Title 18, United States Code, Section 554.

FORFEITURE NOTICE

Upon conviction of the violation alleged in COUNTS ONE and TWO, defendant shall forfeit to the United States any and all firearms or ammunition involved in or used in a knowing violation of Title 18, United States Code, Section 922(g) or 924(c), under the provisions of Title 18, United States Code, Section 924(d)(1), as made applicable by Title 28, United States Code, Section 2461(c).

If any of the above-described forfeitable property, as a result of any act or omission of the defendant(s) cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the

jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to 21 U.S.C. §853(p), to seek forfeiture of any other property of said defendant(s) up to the value of the forfeitable property described above. 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

A TRUE BILL

REDACTED VERSION

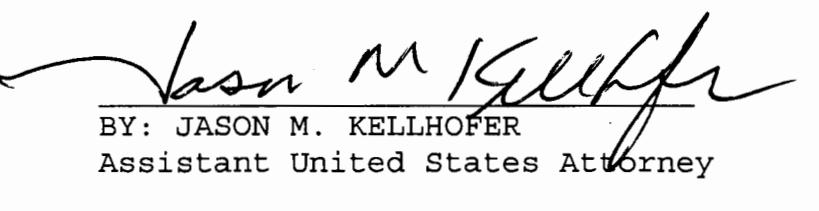
Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

FOREPERSON

DATE

01/21/14

JOHN STUART BRUCE
Acting United States Attorney


BY: JASON M. KELLHOFER
Assistant United States Attorney